

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

PHYLLIS D. SELLERS,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of Social Security,**

Defendant.

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CIVIL NO. 3:06CV262

ORDER FOR REMAND

The defendant, Jo Anne B. Barnhart, Commissioner of Social Security, has moved this Court, pursuant to sentence six of 42 U.S.C. §405(g), to remand the cause for further administrative proceedings. Plaintiff consents to this motion.

On remand to the Commissioner, plaintiff will be offered a new hearing and the Administrative Law Judge will: 1) update the medical record to include evidence of plaintiff's seizure disorder and second fracture; 2) obtain updated evidence from plaintiff's treating sources; 3) evaluate plaintiff's pain complaints; 4) reconsider plaintiff's mental and physical limitations, and, if necessary, obtain consultative examinations and medical source statements; 5) obtain additional vocational expert testimony; and; 6) issue a new decision.

Pursuant to the power of this Court to enter a remand to the Commissioner of Social Security under sentence six of 42 U.S.C. §405(g), in light of the Commissioner's request for remand and the plaintiff's consent, this Court hereby REMANDS the matter for further proceedings under sentence six of 42 U.S.C. §405(g). *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). No judgment shall be entered in this matter at this time.

SO ORDERED.

Signed: November 2, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

